



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

ANTICIPATORY BAIL APPLICATION NO. 1811 OF 2023

SHRIKANT GAUTAM BHALERAO
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...

AND

ANTICIPATORY BAIL APPLICATION NO. 1917 OF 2023

RAHUL @ DANY GAUTAM BHALERAO
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...

Mr. Milind B. Sandanshiv, Advocate for Applicant
Mrs. S.S. Joshi, APP for Respondents/State
Ms. Sunita G. Sonawane, Advocate for Informant

...

CORAM : NITIN B. SURYAWANSHI, J.

DATE : 06th MAY, 2024

PER COURT :

1. Applicants apprehend arrest in C.R. No.514/2023, registered with Chopda City Police Station, Dist. Jalgaon, for offence punishable under Sections 327, 324, 323, 504, 506, 143, 147 and 149 of the Indian Penal Code.

2. FIR is lodged by Sonu Prakash Mahajan alleging that on 03/10/2023 at 10:00 p.m., informant and his brother Mahendra Mahajan went to a hotel situated at Shirpur Bypass for having dinner. At that time, applicants along with other six accused persons came there. Thereafter, applicant Shrikant Bhalerao came to informant and said that he should pay the bill of their food. When

informant refused to pay the bill amount of dinner of accused, accused persons abused him and assaulted with fists and kick blows. Applicant Shrikant Bhalerao assaulted informant on right eye with fighter, thereby causing grievous injury. Accused Dany Bhalerao and Aba Sonawane forcibly snatched amount of Rs.2,000/- from pocket of informant. Rest of accused persons assaulted brother of informant and damaged his auto rickshaw, as well as motorcycle of his friend Vasudeo Mahajan by hitting with hockey sticks.

3. Heard learned advocate for applicants, learned APP for respondents/State and learned advocate for informant. Perused the investigation papers.

4. After arguing at length on merit, when this court was not inclined to grant relief to applicant Shrikant Gautam Bhalerao, learned advocate for applicants, on instructions, seeks permission to withdraw his application. Permission granted. Anticipatory Bail Application No.1811/2023 is disposed of as withdrawn.

5. So far as applicant Rahul alias Dany Gautam Bhalerao is concerned, it is his case that similar role as is attributed to applicant is attributed to co-accused Vikas alias Aba Sonawane and he is granted anticipatory bail by Sessions Court on 25/10/2023. Therefore, applicant is entitled for relief of bail on the ground of parity.

6. In the FIR it is alleged that applicant Rahul alias Dany and accused Aba Sonawane both caught informant and assaulted him with fists and kick blows and took away Rs.2,000/- from his pocket. Applicant has no criminal antecedents. Investigation appears to be on the verge of completion. No useful purpose would be served by remanding applicant to the custody.

7. In the result, Anticipatory Bail Application No.1917/2023 is allowed by confirming interim protection granted to applicant by order dated 09/11/2023.

8. Till filing of charge-sheet, applicant shall attend concerned police station on every Saturday and Sunday, between 10:00 a.m. to 12:00 p.m. and shall co-operate in the investigation. Applicant shall not tamper prosecution evidence.

(NITIN B. SURYAWANSHI, J.)